

CHAPTER NO. 165

SENATE BILL NO. 92

By Ketron

Substituted for: House Bill No. 50

By Sargent, Eldridge, Coleman

AN ACT to amend Tennessee Code Annotated, Title 56, Chapter 5, relative to rates and rating organizations.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:


SECTION 1. Tennessee Code Annotated, Section 56-5-323, is amended by deleting such section in its entirety and by substituting instead the following:

Section 56-5-323. All commercial lines insurance insurers shall, within thirty (30) days of a written request from an insured or the insured's designee, furnish to that insured or insured's designee a copy of the insured's three (3) year loss run history for the prior three (3) years, or complete loss run history with such insurer if the history is less than three (3) years. If the insurer fails to provide the requested information within the time allowed in this section, such failure shall be a violation of Unfair Competition and Deceptive Acts provisions compiled in Chapter 8, Part 1, of this title and any requestor may seek enforcement and any remedies allowed pursuant to such chapter. Notwithstanding any other provision of this part to the contrary, no insurer shall charge any fees to prepare and furnish one three (3) year loss run history. However, if the insurer provides said loss run history to the insured or insured's designee via electronic means, then said insurer may charge a reasonable fee to provide a hard copy of the same report.

SECTION 2. This act shall take effect July 1, 2005, the public welfare requiring it.

PASSED: May 5, 2005


JOHN S. WILDER
SPEAKER OF THE SENATE


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES

APPROVED this 17th day of May 2005


PHIL BREDESEN, GOVERNOR